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Attorneys for Defendant

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

1 The parties stipulate through counsel that Defendant, the Acting Commissioner of Social Security
2 (the “Commissioner”), shall have an extension of time to respond to Plaintiff’s Motion for Summary
3 Judgment in this case. In support of this request, the Commissioner respectfully states as follows:
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5 1. Defendant’s response to Plaintiff’s opening brief was due January 22, 2022. Defendant
6 has not previously requested an extension of time for this deadline. Counsel for the Commissioner
7 apologizes to the Court for not previously seeking an extension as this case. Counsel for the Commissioner
8 was unexpectedly out of the office when Plaintiff’s motion was filed. Upon returning to the office,
9 Counsel for the Commissioner believes he inadvertently overlooked Plaintiff’s filing. Moreover, office
10 procedures, for tracking motions received, appears to have also missed this filing. Counsel apologizes
11 to the Court, Plaintiff and Plaintiff’s counsel for the delay. This request is made in good faith and is not
12 intended to unduly delay the proceedings in this matter.

13 3. Counsel has reviewed Plaintiff’s motion and is in discussions with his client about the
14 defensibility of this case. Counsel believes that this extension may allow the parties to resolve this case
15 without using additional court time and resources to address the merits of this case.

16 4. Counsel conferred with Plaintiff’s counsel who had no objection to the requested
17 extension.

18 WHEREFORE, Defendant requests until March 25, 2022, respond to Plaintiff’s Motion for
19 Summary Judgment.

20 Date: March 17, 2022

LAW OFFICES OF HADLEY & FRAULOB

21 By: */s/ Caspar Chan for Joseph Fraulob**
22 JOSEPH FRAULOB
23 *Authorized by email
 Attorneys for Plaintiff

24 Date: March 17, 2022

25 PHILIP A. TALBERT
 United States Attorney
 Eastern District of California

26 By: */s/ Caspar Chan* _____
27 CASPAR CHAN
 Special Assistant United States Attorney
 Attorneys for Defendant

1 ORDER
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3 APPROVED AND SO ORDERED.
4 Dated: March 17, 2022
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CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE